

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Amendment of the Commission's Rules with	)	GN Docket No. 13-185
Regard to Commercial Operations in the	)	
1695-1710 MHz, 1755-1780 MHz, and	)	
2155-2180 MHz Bands	)	
	)	

To: The Commission:

**COMMENTS OF PHILIPS HEALTHCARE SYSTEMS**

Philips Healthcare Systems ("Philips") submits these comments in response to the Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding.<sup>1</sup> Philips' comments are for the sole purpose of addressing the suggestion that it might be useful to study 15 MHz of contiguous spectrum within the 2360-2390 MHz band to accommodate commercial broadband uses.<sup>2</sup>

On May 24, 2012, after a long and complex proceeding, the Commission adopted an allocation in the 2360-2390 MHz band for use by low-power medical body area network ("MBAN") devices within healthcare facilities. Use of this spectrum for MBANs relies upon spectrum coordination in a sharing arrangement with the aeronautical mobile telemetry ("AMT") coordinator.<sup>3</sup>

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<sup>1</sup> 28 FCC Rcd 11479 (2013).

<sup>2</sup> See *id.* at 11492, para 21, *citing* Letter from the Society of Broadcast Engineers, Inc. ("SBE") submitted in GN Docket No. 09-51 at p.4 (March 18, 2013).

<sup>3</sup> See Amendment of the Commission's Rules to Provide Spectrum for the Operation of Medical Body Area Networks, *First Report and Order and Further Notice of Proposed Rulemaking*, 27 FCC Rcd 6422 (2012), *petitions for reconsideration pending*.

The commenters during the MBAN proceeding fully explored multiple possibilities for sharing the 2360-2390 MHz spectrum, but ultimately concluded that only very limited sharing is possible because of the nature of AMT operations. Accordingly, the Commission adopted rules that allow MBAN devices to operate in this spectrum only inside of healthcare facilities and only after obtaining approval from the MBAN coordinator in consultation with an AMT coordinator. Power is limited to 1 milliwatt and operation must be restricted to indoors. Devices requiring more than 1 milliwatt or outdoor operation are permitted only outside of the 2360-2390 MHz band. These strict measures are required to protect AMT operations, and the coordination process in turn promises some protection against interference to MBAN devices even though they will operate on a secondary basis.

The Commission only recently issued its Report and Order in the MBAN proceeding, and reconsideration petitions remain pending.<sup>4</sup> The proceeding is not yet concluded and the Commission has not yet established selection criteria for the MBAN coordinator that is required before MBAN operation can commence. Thus it is far too early to begin to consider adding yet more uses in this spectrum before the just-authorized MBAN devices can begin deployment.

Furthermore, the propagation and technical characteristics of this band and the equipment making use of it were exhaustively studied and analyzed in the still-pending MBAN proceeding. The rules adopted last year to govern use of the 2360-2390 MHz band were based upon those studies and deemed necessary to protect against interference to AMT operations.

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<sup>4</sup> See FCC Report No. 2966, 68 Fed.Reg. 68721 (Nov. 16, 2012).

It would be futile to consider additional sharing before MBAN devices can even be deployed, and particularly sharing with systems that require higher radiated power. Studies consistently have demonstrated that patient monitoring of the type that will be provided by wireless MBAN devices promises improved patient outcomes at reasonable costs. Substantial investment has been made by MBAN manufacturers to use this spectrum to improve patient healthcare through wireless monitoring, and we respectfully request that the Commission allow MBANs to be implemented before considering further burdening this spectrum.

Respectfully Submitted

A handwritten signature in black ink, reading "Delroy Smith". The signature is written in a cursive, flowing style.

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September 18, 2013